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UNITED NATIONS COMMON SYSTEM

Report of the Fifth Committee (Part II)

Rapporteur: Mr. Mahmoud BARIMANI (Islamic Republic of Iran)

I. INTRODUCTION

1. The recommendations previously made by the Fifth Committee to the General Assembly under agenda item 116 appear in the Committee's report (A/46/808).

2. The Fifth Committee further considered the item at its 66th and 67th meetings, on 29 and 30 July 1992. It had before it a note by the Secretary-General transmitting correspondence received from the International Telecommunication Union (ITU) on the subject of the United Nations common system (A/C.5/46/85).

3. The comments and observations made in the course of the Committee's further consideration of this item are reflected in the relevant summary records (see A/C.5/46/SR.66 and 67).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/46/L.27

4. At the 67th meeting, on 30 July 1992, the Chairman of the Fifth Committee introduced a draft resolution (A/C.5/46/L.27) and orally revised it by replacing, in operative paragraph 5, the word "prejudices" by the words "could prejudice".

5. At the same meeting, the Committee adopted draft resolution A/C.5/46/L.27, as orally revised, without a vote (see para. 7).

6. Also at the same meeting, the representatives of Colombia and the United States of America (on behalf also of Argentina, Australia, Austria, Canada,

Czechoslovakia, Germany, Italy, Japan, the Philippines, the Russian Federation and the United Kingdom of Great Britain and Northern Ireland) made statements in explanation of position.

III. RECOMMENDATION OF THE FIFTH COMMITTEE

7. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

United Nations common system

The General Assembly,

Recalling its resolutions 45/268 of 28 June 1991 and, in particular, 46/191 of 20 December 1991,

Emphasizing the importance of, and benefits derived from, maintaining a coherent and unified common system,

Acknowledging that the United Nations common system should be responsive to the special needs and concerns of the participating organizations, while emphasizing that such needs and concerns should be addressed within the common system,

Emphasizing the obligation of all organizations of the United Nations common system to consult and cooperate fully with the International Civil Service Commission and the United Nations Joint Staff Pension Board on matters relating to conditions of service and pensions,

Noting that the Administrative Council of the International Telecommunication Union recognized, in its resolution R 1024 of 8 July 1992, that the action taken by the Union in regard to a special post allowance was incompatible with the common system,

Considering that the adoption of Administrative Council resolution R 1024 does not prohibit further payment of a special post allowance,

Recognizing that such payment is in contravention of staff regulation 3.8 (b) of the International Telecommunication Union as well as the accepted norms of the United Nations common system,

Noting with deep concern that prior consultation with the International Civil Service Commission by the International Telecommunication Union as called for in section II, paragraph 7, of General Assembly resolution 46/191 had not taken place,

1. Strongly deplores the decision of the Secretary-General of the International Telecommunication Union to make payment of the special post

allowance to headquarters Professional staff in the circumstances described in paragraphs 33 to 35 of the report of the International Civil Service Commission; 1/

2. Determines that such payment is in contravention of General Assembly resolution 46/191;

3. Regrets that the Administrative Council of the International Telecommunication Union did not explicitly exclude further payment of the special post allowance;

4. Reiterates its endorsement of the view of the International Civil Service Commission that the action taken by the International Telecommunication Union in regard to special post allowances is incompatible with the common system;

5. Calls upon executive heads and governing bodies of the United Nations common system to respect fully the decisions taken by the General Assembly, on the recommendations of the International Civil Service Commission and the United Nations Joint Staff Pension Board, concerning the conditions of service of the staff, and points out that failure to do so on the part of any organization could prejudice its claim to enjoy the benefits of participation in the common system;

6. Stresses that the action of the International Telecommunication Union should in no way be invoked as a precedent by other organizations or by the Union itself;

7. Calls again upon the organizations of the United Nations common system to refrain from seeking to establish for their staff, whether by provisions in their staff regulations or by other means, additional entitlements and benefits;

8. Requests the executive heads of the participating organizations to consult the International Civil Service Commission and the United Nations Joint Staff Pension Board prior to the submission of proposals relating to staff conditions of service to their respective governing bodies, in order to avoid action inconsistent with the statute of the Commission and the regulations of the United Nations Joint Staff Pension Fund as accepted by the organizations;

9. Requests the International Civil Service Commission, at its current session, to assess the impact on the common system of resolution R 1024 of the Administrative Council of the International Telecommunication Union with respect to the payment of the special post allowance, the interpretation of

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1/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 30 (A/46/30), vol. I.

staff rules and the convening of the tripartite consultative group outside the International Civil Service Commission rules of procedure, and to recommend in its report to the General Assembly at its forty-seventh session appropriate measures to be taken by the Assembly;

10. Also requests the International Civil Service Commission, at its current session, to propose measures to enforce and enhance respect for and adherence by all organizations of the United Nations common system to the common system of salaries, allowances and conditions of service, and to report thereon to the General Assembly at its forty-seventh session, together with its consideration on improving the responsiveness of the common system to the concerns and needs of the different organizations;

11. Calls upon the Economic and Social Council, at its next session, to review and, where appropriate, strengthen the applicable sections of the relationship agreements between the United Nations and member organizations of the common system, in particular article 8 of the relationship agreement between the United Nations and the International Telecommunication Union, in order to enhance comparability and further adherence to the goals and objectives of the common system;

12. Requests the International Telecommunication Union to ensure that any consultative meeting convened pursuant to Administrative Council resolution R 1024 proceeds with the clear awareness that the United Nations General Assembly is the authority for determining conformity with the common system.